



Town of Garrett Park
PO Box 84
4600 Waverly Avenue
Garrett Park, MD 20896

Regular Meeting of Town Council
Garrett Park Town Hall
10814 Kenilworth Avenue
Garrett Park, MD 20896

Draft MINUTES

Call to Order: Mayor Keller called the meeting to order at 7:35 PM. Present were Councilmembers Irons, Mandel, Petito, Schulp, and Wegner. Also present was Administrator Pratt, Margaret Soltan of the *Bugle*, Alex Ruoff of the *Gazette*, and a number of Town residents.

Approval of Agenda: The agenda was approved as posted without objection.

Constant Yield Tax Rate Hearing:

Mayor Keller called the hearing to order at 7:40 PM, noting that it was required under state law as the Town was not going to adopt the constant yield tax rate in that the FY 2011 budget contemplated an increase in the real property tax rate from the current 19.2 cents per \$100 of assessed valuation to a new rate of 21 cents. The Mayor noted that the Town had seen significant declines in its receipts from the state for local income tax and Highway User Fund distributions, and as well as large reductions in Montgomery County Tax Duplication payments, and that faced with a mounting number of needed, even urgent repairs to its infrastructure, the Town, while making meaningful reductions in the FY 2012 operating budget, still needed to raise revenues to adequately fund these repairs. Mayor Keller then called for discussion.

Resident Bill Millard spoke against the tax increase, calling for further reduction in Town expenditures of all sorts and a return to the volunteer involvement of residents in infrastructure repair, as was done in years past. Resident Barbara Shidler spoke in support of the tax increase, noting that she was a senior, lived on a fixed income, and had also lived in Town long enough to know that if things such as roads and storm drains were not fixed properly and in a timely manner the cost always went up. Resident Michael Lutkenhouse complained about signs regarding the tax increase and the hearing had been posted in his front yard without his permission. Councilmember Wegner noted that FY 2008 was the Town's highest budget year, and that the revenue projected in FY 2012 will be down significantly from revenues received in FY 2008. Councilmember Wegner stated the need to collectively bear a larger responsibility at this time in order to preserve the investment in the integrity of Garrett Park made by its residents over the years.

Resident Chuck Berry asked if the budget could be cut further. Mayor Keller stated that maintenance of service would not allow further cuts in the operating budget. Councilmember Irons discussed the budget process, noting that the Council supported the budget unanimously. Councilmember Wegner then went through the FY 2012 operating budget, noting the many reductions made in preparation for expanded capital expenditures. The Mayor asked asks if there are more comments and, being none, declared the hearing closed at 8:05 PM.

Demolition Permit Hearing:

- 20110228-DMA01, 11111 Kenilworth Avenue - Welch - Councilmember Irons explained that the application was to demolish a prior non-conforming single-family home and to replace it with a conforming single-family home, noting that neither the Historic Preservation Committee (HPC) nor the Setback Advisory Committee (SAC) had raised objection to the demolition. The HPC asked that photographs for the Town archives be take of the interior and exterior of the house prior to demolition and the applicants agreed. Applicant Darren Walsh addresses the Council stated that he and his wife very much wanted to stay in Garrett Park, but the house was too small for a growing family, so replacing it was essential.

Councilmember Irons **MOVED**

That the demolition permit be granted. Councilmember Mandel seconded the motion, which **PASSED** unanimously.

Presentations by Residents:

- Review of proposed locations for speed bumps on Rokeby Avenue (Resident petition approved by Council at the June 14th, 2010 Meeting) Mayor Keller asked if any residents are present. As there were one, the issue was postpone to the May meeting. Councilmember Mandel stated that he would contact Rokeby residents regarding speed bump locations, and see that a full review was made at the May meeting so that the Council could make a decision.
- Resident Chuck Berry noted the Holy Cross Church youth group had been doing yard work in town for elderly residents.

Mayor's Report:

- Mayor Keller reported on a meeting he had with the State Highway Administration (SHA) District Supervisor to discuss needed repairs to Strathmore Avenue, mainly being the significant roadway failure between Clermont and Montrose Avenues. The Mayor noted that an SHA crew had showed up today and did a poor patch, and that he would be contacting the District Supervisor about this.
- Mayor Keller and Councilmember Wegner discussed the deplorable state of the Keswick crosswalk, the breaking up of the brick surface and the failure

of the pedestrian warning lights. Mayor Keller reported that they were making little headway in getting meaningful repairs accomplished.

- The Mayor reported that he had received complaints from residents regarding the feeding of deer, noted the growing about Lyme disease, pointing out the Town was trying to keep paths in Porcupine Woods wide enough to prevent picking up ticks off the brush alongside.
- Mayor Keller reported that he was still working to finalize the outstanding easements need for the Garrett Park Elementary School, his primary goal being consistent tree protection.

Councilmember's Reports on Areas of Responsibility:

- Councilmember Petito raised the issue of Town committee membership and suggested that the Council revisit procedures regarding appointment and removal of members. Councilmember Schulp agreed that the council should establish a consistent policy. Councilmember Mandel asked how to proceed. Councilmember Petito said that he would look into examples and report back to the Council at the May meeting.
- BI GPCA will hosting a meeting on 05/25 to provide an overview of the GPLUTF recommendations and an update on county zoning rewrite

Approval of Minutes:

- Councilmember Wegner **MOVED**
That the 02/14/2011 Regular Council Meeting minutes be approved as distributed. Councilmember Mandel seconded the motion, which **PASSED** unanimously.
- Consideration of the 03/14/2011 Regular Council Meeting minutes was deferred to the May meeting.

Action/Discussion:

- Adoption of Ordinance 2011-03: FY 2012 Operating & Capital Budget, Setting of FY 2012 Tax Rates @ 21 cents refuse Fees of \$350- Mayor Keller asked for a motion to adopt the ordinance and set tax rates and fees so as to get the matter on the floor for discussion.

Councilmember Mandel **MOVED**

That the Council adopt Ordinance 2011-03, the FY 2011 Operating and Capital Budget, and set the Real Property Tax Rate at 21 cents per \$100 of assessed valuation, the Personal Property Tax Rate at \$1.00 per \$100 of assessed valuation, and the Municipal Refuse Collection Fee at \$350 per household. Councilmember Irons seconded the motion.

Mayor Keller stated that he believes the proposed budget to be prudent, with cuts made where possible, and that it provides for a tax rate that gives the Council the flexibility needed to plan for future capital

expenditures. The Mayor asked for comments. After brief discussion Mayor Keller called for the vote, and the motion **PASSED** unanimously.

- Tax Abatement Policy - Noting the need to provide reasonable relief from the property tax increase to residents in difficult circumstances, Mayor Keller referred to various state and county tax abatement programs for those who meet certain criteria, and asked if the Council wished to adopt a formal provision to provide a rebate, noting that it may wish to piggyback on existing programs. After discussion

Councilmember Wegner **MOVED**

That the Town establish a tax rebate program based on the existing Maryland Homeowners' Property Tax Credit program, that Town homeowners who had qualified for this program were eligible for this rebate, and that for FY 2012 this rebate be set at 1.8 cents per \$100 of valuation, to be paid directly to the taxpayer upon receipt of proof of qualification with the state. There was brief discussion regarding administration of the program. Administrator Pratt stated that administration should be straight-forward as qualified individuals would have the credit shown either on their tax bill from Montgomery County or in a document from the state Department of Assessment and Taxation and that the amount of the rebate would be calculated using the assessed valuation on the tax bill. Mayor Keller asked for the vote of council, which **PASSED** unanimously.

Town Administrator Report:

- Monthly Financial Report - Administrator Pratt reviewed the monthly financial report with the Council.

Adjournment: The meeting adjourned at 8:50 PM.

Respectfully submitted,

[TOWN SEAL]

Edwin Pratt, Jr., Clerk-Treasurer

TOWN OF GARRETT PARK

FY 2012 Operating & Capital Budget

Legend: **INCREASE** **DECREASE** **NO CHANGE**

RECEIPTS	FY 2011		FY 2012	FY 2011 v. FY 2012	
	Budget	EOY Estimate	Ordinance 2011-03	% Change	Amount of Change
<u>1000 - Taxes & Fees</u>	<u>\$631,800</u>	<u>\$702,150</u>	<u>\$760,450</u>	<u>20.4%</u>	<u>\$128,650</u>
1100 -- Local Property Taxes	\$457,350	\$505,350	\$563,350	23.2%	\$106,000
1110 -- Real Property Taxes	\$445,000	\$450,000	\$508,500	14.3%	\$63,500
1120 -- Pers. Property Taxes	\$11,100	\$54,050	\$53,500	382.0%	\$42,400
1170 -- Penalties & Interest	\$1,000	\$1,000	\$1,000	0.0%	\$0
1180 -- Homestead Tax Credit	\$250	\$300	\$350	40.0%	\$100
1200 -- Local Income Taxes	\$165,000	\$185,000	\$185,000	12.1%	\$20,000
1300 -- Other Local Taxes	\$0	\$0	\$0	0.0%	\$0
1400 -- Licenses and Permits	\$9,450	\$11,800	\$12,100	28.0%	\$2,650
Percent of Total Budget:			60.7%		
<u>2000 - Intergov. Revenues</u>	<u>\$53,800</u>	<u>\$52,315</u>	<u>\$38,050</u>	<u>-29.3%</u>	<u>(\$15,750)</u>
2200 -- From State of Maryland	\$4,500	\$9,725	\$3,000	-33.3%	(\$1,500)
2300 -- From Montgomery Co.	\$49,300	\$42,590	\$35,050	-28.9%	(\$14,250)
Percent of Total Budget:			3.0%		
<u>3000 - Services Charges</u>	<u>\$124,050</u>	<u>\$124,050</u>	<u>\$130,500</u>	<u>5.2%</u>	<u>\$6,450</u>
3100 -- Gen. Gov. Charges	\$550	\$550	\$500	-9.1%	(\$50)
3200 -- Municipal Refuse	\$123,500	\$123,500	\$130,000	5.3%	\$6,500
Percent of Total Budget:			10.4%		
<u>4000 - Fines & Forfeitures</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>0.0%</u>	<u>\$0</u>
Percent of Total Budget:					
<u>5000 - Misc. Receipts</u>	<u>\$140,600</u>	<u>\$142,950</u>	<u>\$140,800</u>	<u>0.14%</u>	<u>\$200</u>
5100 -- Investment Earnings	\$1,000	\$1,950	\$1,350	35.0%	\$350
5200 -- Rents and Concessions	\$124,500	\$125,250	\$128,900	3.5%	\$4,400
5210 -- Town Hall Rents	\$18,000	\$18,700	\$19,250	2.9%	\$1,250
5220 -- Penn Place Rents	\$104,400	\$104,450	\$107,340	2.8%	\$2,940
5230 -- Swimming Pool Assoc.	\$2,100	\$2,100	\$2,310	10.0%	\$210
5300 -- Contributions Donations	\$15,000	\$15,000	\$10,000	-33.3%	(\$5,000)
5500 -- Sale of Property	\$100	\$750	\$550	450.0%	\$450
5900 -- Miscellaneous - Other	\$0	\$0	\$0	0.0%	\$0
Percent of Total Budget:			11.2%		
Annual Operating Receipts:	\$950,250	\$1,021,465	\$1,069,800	12.6%	\$119,550
Percent of Total Budget:			85.4%		
<u>9000 - Transfers In</u>	<u>\$169,140</u>	<u>\$10,210</u>	<u>\$182,851</u>	<u>8.1%</u>	<u>\$13,711</u>
Percent of Total Budget:			14.6%		
Total Receipts & Transfers In:	\$1,119,390	\$1,031,675	\$1,252,651	11.9%	\$133,261

TOWN OF GARRETT PARK

FY 2012 Operating & Capital Budget

LEGEND: **INCREASE** **DECREASE** **NO CHANGE**

EXPENDITURES	FY 2011		FY 2012	FY 2011 v. FY 2012	
	Budget	EOY Estimate	Ordinance 2011-03	% Change	Amount of Change
<u>10000 - Personnel</u>	<u>\$375,000</u>	<u>\$366,070</u>	<u>\$383,385</u>	<u>2.2%</u>	<u>\$8,385</u>
10100 -- Salaries	\$260,000	\$260,000	\$270,700	4.1%	\$10,700
10200 -- Overtime	\$5,000	\$5,000	\$5,000	0.0%	\$0
10300 -- Benefits	\$83,350	\$76,070	\$81,435	-2.3%	(\$1,915)
10400 -- Payroll Taxes, Etc.	\$26,650	\$25,000	\$26,250	-1.5%	(\$400)
	Percent of Total Budget:		30.6%		
<u>11000 - Town Administration</u>	<u>\$115,500</u>	<u>\$110,985</u>	<u>\$78,350</u>	<u>-32.2%</u>	<u>(\$37,150)</u>
11100 -- Elected/Appointed Officials	\$5,000	\$5,250	\$2,750	-45.0%	(\$2,250)
11200 -- Elections	\$1,600	\$1,550	\$1,250	-21.9%	(\$350)
11300 -- Archives/Public Records	\$30,000	\$24,250	\$16,500	-45.0%	(\$13,500)
11400 -- General Admin Expenses	\$22,500	\$23,750	\$19,400	-13.8%	(\$3,100)
11700 -- Professional Fees	\$44,000	\$46,250	\$28,000	-36.4%	(\$16,000)
11800 -- Insurance	\$10,400	\$7,935	\$9,350	-10.1%	(\$1,050)
11900 -- Town Admin - Other	\$2,000	\$2,000	\$1,100	-45.0%	(\$900)
	Percent of Total Budget:		6.3%		
<u>12000 - Sponsorships Subs. Dues</u>	<u>\$5,500</u>	<u>\$5,300</u>	<u>\$5,000</u>	<u>-9.1%</u>	<u>(\$500)</u>
12100 -- Membership Dues	\$3,500	\$3,500	\$3,500	0.0%	\$0
12200 -- Sponsorships	\$1,800	\$1,600	\$1,300	-27.8%	(\$500)
12300 -- Subscriptions	\$200	\$200	\$200	0.0%	\$0
	Percent of Total Budget:		0.4%		
<u>13000 - Building & Grounds</u>	<u>\$100,000</u>	<u>\$98,600</u>	<u>\$91,400</u>	<u>-8.6%</u>	<u>(\$8,600)</u>
13100 -- Bldgs & Grnds Man.	\$1,000	\$500	\$250	-75.0%	(\$750)
13200 -- Penn Place	\$76,700	\$82,000	\$76,200	-0.7%	(\$500)
13300 -- Town Hall	\$13,300	\$14,250	\$12,950	-2.6%	(\$350)
13400 -- Maintenance Facility	\$9,000	\$1,850	\$2,000	-77.8%	(\$7,000)
13500 -- Community Center	\$0	\$0	\$0	0.0%	\$0
	Percent of Total Budget:		7.3%		
<u>14000 - Town Services</u>	<u>\$257,000</u>	<u>\$246,895</u>	<u>\$228,700</u>	<u>-11.0%</u>	<u>(\$28,300)</u>
14100 -- Roads & Sidewalks	\$72,500	\$63,425	\$67,900	-6.3%	(\$4,600)
14200 -- Stormwater Drainage	\$3,000	\$1,000	\$500	-83.3%	(\$2,500)
14300 -- Municipal Refuse	\$123,500	\$122,500	\$128,700	4.2%	\$5,200
14400 -- Arboretum	\$50,000	\$52,000	\$27,000	-46.0%	(\$23,000)
14500 -- Fees	\$1,300	\$1,770	\$1,600	23.1%	\$300
14600 -- Parks	\$6,700	\$6,200	\$3,000	-55.2%	(\$3,700)
	Percent of Total Budget:		18.3%		
<u>16000 - Equip. Maint. & Repair</u>	<u>\$14,500</u>	<u>\$13,125</u>	<u>\$12,625</u>	<u>-12.9%</u>	<u>(\$1,875)</u>
	Percent of Total Budget:		1.0%		
<u>17000 - Publication Expenses</u>	<u>\$1,000</u>	<u>\$750</u>	<u>\$800</u>	<u>-20.0%</u>	<u>(\$200)</u>
	Percent of Total Budget:		0.1%		

EXPENDITURES	FY 2011		FY 2012	FY 2011 v. FY 2012	
	Budget	EOY Estimate	Ordinance 2011-03	% Change	Amount of Change
<u>18000 - Conf. & Conventions</u>	<u>\$2,500</u>	<u>\$2,500</u>	<u>\$2,000</u>	<u>-20.0%</u>	<u>(\$500)</u>
		Percent of Total Budget:	0.2%		
<u>19000 - Contingency</u>	<u>\$30,000</u>	<u>\$0</u>	<u>\$40,000</u>	<u>33.3%</u>	<u>\$10,000</u>
		Percent of Total Budget:	3.2%		
<u>20000 - Int. Dep. Debt</u>	<u>\$60,390</u>	<u>\$61,240</u>	<u>\$61,025</u>	<u>1.1%</u>	<u>\$635</u>
		Percent of Total Budget:	4.9%		
<u>21000 - Taxes & Bad Debt</u>	<u>\$3,000</u>	<u>\$4,525</u>	<u>\$4,750</u>	<u>58.3%</u>	<u>\$1,750</u>
		Percent of Total Budget:	0.4%		
Total Operating Expense:	\$964,390	\$909,990	\$908,035	-5.8%	(\$56,355)
			72.5%		
<u>23000 - Transfer to Capital Projects Fund</u>	<u>\$155,000</u>	<u>\$122,985</u>	<u>\$344,616</u>	<u>122.3%</u>	<u>\$189,616</u>
			27.5%		
<u>25000 - Trans to Op. Reserve</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>0.0%</u>	<u>\$0</u>
Expenses: Budgeted:	\$1,119,390	\$1,032,975	\$1,252,651	11.9%	\$133,261

FY 2012 Capital Budget

Account	FY 2011	Estimated Prior Years' Appropriations	FY 2012		
	Capital Budget		Proposed Changes	Ordinance 2011-03	Remaining Appropriations
<u>23000 - CAPITAL BUDGET</u>	<u>\$155,000</u>	<u>\$0</u>	<u>\$210,521</u>	<u>\$344,616</u>	<u>\$344,616</u>
23100 - Capital Purchases	\$5,000	\$0	\$0	\$0	\$0
23200 - Capital Construction	\$135,000	\$0	\$200,521	\$334,616	\$334,616
23210 - Facilities	\$30,000	\$0	\$12,500	\$12,500	\$12,500
23220 - Streets & Curbs	\$10,000	\$0	\$32,250	\$32,250	\$32,250
23230 - Utilities	\$0	\$0	\$0	\$0	\$0
23240 - Sidewalks	\$0	\$0	\$65,770	\$199,865	\$199,865
23250 - Storm Drains	\$85,000	\$0	\$85,000	\$85,000	\$85,000
23260 - Parks & Recreation	\$10,000	\$0	\$5,000	\$5,000	\$5,000
23290 - Other	\$0	\$0	\$0	\$0	\$0
23300 - Arboretum Capital	\$5,000	\$0	\$5,000	\$5,000	\$5,000
23800 - Capital Planning	\$10,000	\$0	\$5,000	\$5,000	\$5,000
23900 - Capital Contingency	\$0	\$0	\$0	\$0	\$0

* **NOTE:** The adoption of the FY 2012 Capital Budget extinguishes all residual prior years appropriations.

FY 2012 Capital Program

Project	FY 2011	Estimated Prior Years' Appropriations	FY 2012		
	Capital Budget		Proposed Changes	Capital Program	Remaining Appropriations
CAPITAL PROGRAM	\$150,000	\$0	\$347,116	\$347,116	\$347,116
Capital Purchases	\$5,000	\$0	\$0	\$0	\$0
Tailgate Spreader, Installed (FY11)	5,000	\$0	\$0	\$0	\$0
Capital Construction	\$130,000	\$0	\$337,116	\$337,116	\$337,116
Argyle Curb & Gutter Replacement (FY12)	\$0	\$0	\$32,250	\$32,250	\$32,250
Montrose-Clermont Drain (FY12)	\$0	\$0	\$0	\$0	\$0
Kenilworth & Oxford Sidewalk (FY11,12)	\$0	\$0	\$65,770	\$65,770	\$65,770
Kenilworth NW Sidewalk to Waverly (FY11,12)	\$0	\$0	\$60,695	\$60,695	\$60,695
Kenilworth NE Sidewalk to Waverly (FY11,12)	\$0	\$0	\$73,400	\$73,400	\$73,400
North Kenilworth Drain (FY12)	\$75,000	\$0	\$0	\$0	\$0
Penn Place Exterior Repairs (FY12)	\$13,500	\$0	\$5,000	\$5,000	\$5,000
Penn Place Interior Repairs (FY12)	\$1,500	\$0	\$5,000	\$5,000	\$5,000
Shelley Court Drain (FY11,12)	\$10,000	\$0	\$85,000	\$85,000	\$85,000
Street Rehabilitation (FY09,10)	\$10,000	\$0	\$0	\$0	\$0
Town Hall (FY12)	\$15,000	\$0	\$5,000	\$5,000	\$5,000
Yeandle Park (FY11)	\$5,000	\$0	\$5,000	\$5,000	\$5,000
Arboretum Capital	\$5,000	\$0	\$5,000	\$5,000	\$5,000
Capital Planning	\$10,000	\$0	\$5,000	\$5,000	\$5,000
Capital Contingency	\$0	\$0	\$0	\$0	\$0